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U.S. DISTRICT COURT  
DISTRICT OF MASS.

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

TERIZA SHEHATOU, INDIVIDUALLY, )  
CINDY LOUKA p.p.a. TERIZA )  
SHEHATOU and SALLY LOUKA p.p.a. )  
TERIZA SHEHATOU, )  
Plaintiffs )  
v. )  
CHERYL L. SCHARDT, JAY A. ) Docket No. 05-30195-KPN  
HOPKINS, P.KEYBURN HOLLISTER, )  
JOHN R. GOBEL, ALLSTATE )  
INSURANCE COMPANY and )  
COMMERCE INSURANCE COMPANY, )  
Defendants )

JOINT RULE 16.1 STATEMENT

The parties in this action submit the following Joint Statement pursuant to Local Rule 16.1 and the Court's Order of September 28, 2005.

**1. Proposed Discovery Plan:**

- a. Automatic disclosure statements and discovery shall be served on or before November 15, 2005.
- b. Any amendments pursuant to Fed. R. Civ. P. 15 shall be made by January 30, 2006.
- c. All interrogatories and request for production of documents shall be served by February 15, 2006.
- d. All depositions, excluding those of medical witnesses and experts, shall be completed by May 30, 2006.

- e. Plaintiff shall designate and disclose information regarding their trial experts as required by Fed. R. Civ. P. 26(a)(2) by June 1, 2006.
- f. Defendant shall designate and disclose information regarding their trial experts as required by Fed R. Civ. P. 26(a)(2) by July 1, 2006.
- g. Depositions of medical witnesses and experts shall be completed by August 15, 2006.
- h. A final pre-trial conference shall be scheduled before September 30, 2006.

**2. Motion Schedule:**

- a. This is a motor vehicle intersection collision case and, therefore, no dispositive motion practice is anticipated. Any motions filed will likely be discovery motions and will be filed if and when issues arise.

**3. Other Issues:**

- a. Within their complaint, the plaintiffs have asserted both motor vehicle tort claims against the individual defendants and 176D claims against the insurers for allegedly failing to make reasonable settlement offers. It is the position of the insurers that the claims against them should be severed and stayed pending the resolution of the tort claims against the individual defendants. The plaintiff disagrees and this issue will need to be determined by the Court.

Respectfully submitted,

THE PLAINTIFFS

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Dated: 10-27-05

CSD:klk